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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/738,023	12/15/2000	Bryan Blair	1-Step Surety System	9285

45722 7590 04/03/2007  
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EXAMINER

FRENEL, VANEL

ART UNIT	PAPER NUMBER
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3627

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/03/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

09/738,023

Applicant(s)

BLAIR ET AL.

Examiner

Vanel Frenel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,18 and 21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 6, 18 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/7/06 has been entered.

### Notice to Applicant

2. This communication is in response to the RCE filed on 8/07/06. Claims 2, 7-17, 19-20 and 22 have been canceled. Claims 1, 18 and 21 have been amended. Claims 1, 3-6, 18 and 21 are pending.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-6, 18 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luchs et al (4,831,526), Bosco (5,191,522) in view of Sforzo (7,194,435).

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(A) As per claim 1, Luchs discloses storing underwriting data so as to be accessible by at least one computer processor (See Luchs, Col.1, lines 63-68 to Col.2, line 18; Col.6, lines 13-68); wherein data indicative of said insurance underwriting instrument is automatically stored so as to be accessible to said one computer processor (See Luchs, Col.1, lines 63-68 to Col.2, line 18; Col.6, lines 13-68); and calculated premium in response to a request therefore (See Bosco, Col.26, lines 63-68 to Col.27, line 52).

Luchs and Bosco do not explicitly disclose a computer method for issuing at least one of a fidelity bond and a surety bond comprising: storing data indicative of at least one of fidelity and surety bond customers so as to be accessible by said at least one computer processor; inputting data indicative of at least one fidelity or surety bond to be issued and being associated with one of said bond customers; automatically calculating of images a premium for the at least one fidelity or surety bond to be issued based on the input data and the underwriting data in response to a request therefore; storing data indicative of images of a plurality of pre-defined bond forms so as to be accessible by said at least one computer processor; selecting a sub-set of the data indicative of images of a plurality of pre-defined bond forms dependently upon the inputted data; and automatically rendering the at least one fidelity or surety bond to be issued using said data indicative of said selected data indicative of images of a plurality of pre-defined forms.

However, these features are known in the art, as evidenced by Sforzo. In particular, Sforzo suggests a computer method for issuing at least one of a fidelity bond and a surety bond (See Sforzo, Fig.14; Col.2, lines 50-67) comprising: storing data

indicative of at least one of fidelity and surety bond customers so as to be accessible by said at least one computer processor (See Sforzo, Col.6, lines 34-55); inputting data indicative of at least one fidelity or surety bond to be issued and being associated with one of said bond customers (See Sforzo, Col.7, lines 55-67 to Col.8, line 14); automatically calculating of images a premium for the at least one fidelity or surety bond to be issued based on the input data and the underwriting data in response to a request therefore (See Sforzo, Col.5, lines 27-67 to Col.6, line 34); storing data indicative of images of a plurality of pre-defined bond forms so as to be accessible by said at least one computer processor (See Sforzo, Col.6, lines 34-55); selecting a sub-set of the data indicative of images of a plurality of pre-defined bond forms dependently upon the inputted data (See Sforzo, Col.7, lines 46-67 to Col.); and automatically rendering the at least one fidelity or surety bond to be issued using said data indicative of said selected data indicative of images of a plurality of pre-defined forms (See Sforzo, Col.9, lines 6-67; Col.11, lines 14-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Sforzo within the collective teachings of Luchs and Bosco with the motivation of computerizing systems and more particularly to a computerized system for automated issuances of bonds through a communications linkage for communicating and processing information necessary for the issuance of a bond in a timely and efficient manner.

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(B) As per claim 3, Luchs discloses the method wherein said inputting comprises presenting at least one electronic document to a user via a browser functionality of software running on a microprocessor based device, and communicating data input to said software by said user to said at least one processor (Col. 1, lines 63-68 to Col.2, line 18; Col.6, lines 13-68).

(C) As per claim 4, Luchs discloses the method further comprising automatically calculating a premium for at least one alternative insurance underwriting instrument having at least one characteristic differing from said insurance underwriting instrument (Co1.11, lines 3-47; Co1.13, lines 3-63).

(D) As per claim 5, Luchs discloses the method further comprising automatically storing said input data (Co1.11, lines 3-33).

(E) As per claim 6, Luchs discloses the method further comprising: providing data indicative of images of a plurality of insurance underwriting instruments (Col. 13, lines 30-68); wherein said rendering comprises selecting one of said instruments dependently upon said input data (Co1.13, lines 30-68 to Co1.14, line 36); and, uses at least a portion of said data indicative of images of said plurality of underwriting instruments being associated with said selected one of said instruments (Col. 19, lines 22-68 to Colo20, line 68).

(F) Claim 18 differs from claims 1 and 7 by reciting a data processing system for issuing a fidelity or surety bond, the system comprising: at least one computer processor.

As per this limitation, it is noted that Luchs discloses a first query-able plurality of memory locations for storing data indicative of images of a plurality of forms (See Luchs, Col.14, lines 46-68), a second query-able plurality of memory locations storing data indicative of policies (Co1.13, lines 3-68 to Co1.14, line 68); at least one calculator application responsive to said user interface and for automatically calculating a premium for the insurance underwriting instrument based on the input data using said at least one computer processor (See Bosco, Col.26, lines 63-68 to Col.27, line 52) and Sforzo discloses each of said forms being associated with a particular type of fidelity or surety bond (See Sforzo, Fig.14; Col.2, lines 50-67); at least one user interface for inputting data indicative of an insurance client and data indicative of the fidelity or surety bond, data indicative of one of the fidelity or surety bond (See Sforzo, Fig.14; Col.2, lines 50-67); and software for rendering selected ones of said plurality of forms using said data stored in said first and second pluralities of memory locations and calculated premium in response to a request from said user interface (See Sforzo, Fig.1B; Col.6, lines 12-67).

Thus, it is readily apparent that these prior art system utilize a data processing system for issuing an insurance fidelity or surety bond, the system comprising: at least one computer processor to perform their specified function.

The remainder of claim 18 is rejected for the same reason given above for claims 1 and 7, and incorporated herein.

(G) As per claim 21, Luchs discloses identifying data stored in a plurality of memory locations and being indicative of a select one of a plurality of customers (Co1.13, lines 3-68 to Co1.14, line 68); selecting at least one of a plurality of forms for said insurance instrument (See Luchs, Col. 4, lines 27-47); wherein, said calculating and rendering are performed using said at least one computing processor (See Bosco, Col.26, lines 63-68 to Col.27, line 52).

Luchs and Bosco do not explicitly disclose a method for issuing an fidelity or surety bond comprising: receiving data indicative of a fidelity or surety bond to be associated with said select customer; automatically calculating at least one rate associated with said fidelity or surety bond using said data indicative of said customer and data indicative of said fidelity or surety bond to be associated with said select customer; using said data indicative of said fidelity or surety bond to be associated with said select customer; and automatically rendering said at least one form using said at least one rate, said data indicative of said customer, and data indicative of said fidelity or surety bond to be associated with said select customer.

However, these features are known in the art, as evidenced by Sforzo. In particular, Sforzo suggests a method for issuing an fidelity or surety bond comprising: receiving data indicative of a fidelity or surety bond to be associated with said select customer (See Sforzo, Col.7, lines 55-67 to Col.8, line 14); automatically calculating at



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least one rate associated with said fidelity or surety bond using said data indicative of said customer and data indicative of said fidelity or surety bond to be associated with said select customer (See Sforzo, Col.7, lines 55-67 to Col.8, line 14); using said data indicative of said fidelity or surety bond to be associated with said select customer (See Sforzo, Col.7, lines 55-67 to Col.8, line 14); and automatically rendering said at least one form using said at least one rate, said data indicative of said customer, and data indicative of said fidelity or surety bond to be associated with said select customer (See Sforzo, Col.11, lines 1-65).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Sforzo within the collective teachings of Luchs and Bosco with the motivation of computerizing systems and more particularly to a computerized system for automated issuances of bonds through a communications linkage for communicating and processing information necessary for the issuance of a bond in a timely and efficient manner.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not the applied prior art teaches "The e-Bond Revolution; How the Internet is reshaping the world's largest financial market by Toddi Gutner in New York, Toddi Gutner. Business Week. New York: November 15, 1999; Iss. 3655; pg.270" and "Bond trading for the masses by Eric S Hardy. Forbes. New York : Jun 14, 1999. Vol.163, Iss. 12; pg. 300, 1 pgs".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is 571-272-6769. The examiner can normally be reached on 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zeender Ryan Florian can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

V.F  
V.F

March 30, 2007

Andrew Joseph Rudy  
Primary Examiner, AU 3627